

## **Senate Bill No. 86**

### **CHAPTER 536**

An act to amend Section 41851 of the Education Code, relating to education.

[Approved by Governor September 16, 1998. Filed  
with Secretary of State September 17, 1998.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 86, Monteith. Education: home-to-school transportation.

Existing law requires each school district or any county office of education to receive a home-to-school transportation allowance equal to the transportation allowance received in the prior fiscal year, as specified. Existing law entitles each county unified school district that is governed by the county board of education that meets 3 specific requirements to receive an additional apportionment of \$350,000 for the 1993-94 and 1994-95 fiscal years, and each fiscal year thereafter, for home-to-school transportation. Existing law requires each educational entity that receives that additional apportionment to report by September 1, 1995, to the Legislature and the Legislative Analyst, as specified.

Existing law provides that if, in any fiscal year, a county unified school district operates a necessary small school that it did not operate in the 1994-95 fiscal year, that district would not be eligible to receive those funds in that fiscal year or in any subsequent fiscal year. Existing law also causes the provision authorizing that additional apportionment to become inoperative if a later enacted act increases the limit on the number of units of average daily attendance that a county unified school district may have to be designated as a small school for specified apportionments.

Existing law requires each educational entity that receives the additional apportionment to report by September 1 of each year to the Legislature and the Legislative Analyst, as specified.

Existing law provides that the provisions described above become inoperative July 1, 1999, and are repealed as of January 1, 2000.

This bill would delete the reference to specified requirements of the report due under these provisions on September 1, 1995.

This bill would delete the requirement that these provisions become inoperative on July 1, 1999, and be repealed on January 1, 2000, therefore extending indefinitely the operation of these provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 41851 of the Education Code is amended to read:

41851. (a) For the 1992–93 fiscal year, from Section A of the State School Fund, the Superintendent of Public Instruction shall apportion to each school district or county superintendent of schools, as appropriate, an amount computed pursuant to this section. School districts and county superintendents of schools that provide transportation services by means of a joint powers agreement, a cooperative pupil transportation program, or a consortium shall receive transportation allowances pursuant to this section.

(b) For the 1992–93 fiscal year, each school district or county office of education shall receive a home-to-school transportation apportionment equal to the transportation allowance received in the prior fiscal year reduced by the amount of the special education transportation allowance identified pursuant to Section 41851.5.

(c) For the 1993–94 fiscal year and each fiscal year thereafter, each school district or county office of education shall receive the same home-to-school transportation allowance received in the prior fiscal year, but in no event shall that home-to-school transportation allowance exceed the prior year's approved home-to-school transportation costs, increased by the amount provided in the Budget Act.

(d) For the 1993–94 and 1994–95 fiscal years, and each fiscal year thereafter, each county unified school district for which the county board of education serves as the governing board that meets all of the following criteria shall receive an additional apportionment of three hundred fifty thousand dollars (\$350,000):

(1) Over 50 percent of the pupils enrolled in the school district require home-to-school transportation services.

(2) Total enrollment of the school district is less than 3,500.

(3) Total miles driven each fiscal year for home-to-school transportation exceeds 500,000.

(e) If, in any fiscal year, a county unified school district operates one or more necessary small schools pursuant to Article 4 (commencing with Section 42280) of Chapter 7 that the district did not operate in the 1994–95 fiscal year, that district shall not be eligible to receive an apportionment pursuant to subdivision (d) in that fiscal year or in any subsequent fiscal year.

(f) If a later enacted statute amends subdivision (b) of Section 42280 or amends or adds any other provision of law authorizing a county unified school district that has 3,001 or more units of average daily attendance to be designated as a small school district for the purposes of Article 4 (commencing with Section 42280) of Chapter 7, subdivision (d) shall become inoperative on the date that the later enacted statute becomes operative.

(g) Each county unified school district that receives an additional apportionment pursuant to subdivision (d) shall report, by September 1 of each year, commencing with September 1, 1995, on the amount of revenues received and the funds expended for the home-to-school transportation program in the prior fiscal year. The report shall be submitted to the fiscal committees and education policy committees of the Legislature and to the Legislative Analyst.

